

## REMARKS

This Amendment is filed in response to the Patent Office Action mailed November 15, 2007. However, as set forth in the Request for Extension of Time, the Examiner cited a prior art reference (Seamark), but failed to identify the patent number of the prior art reference. Thus, the Applicant respectively requests an extension of time to file a response to the Patent Office Action.

First, the Applicant would like to thank Examiner Bochna for his allowance of claims 1 to 8 in the first Office Action. Claims 9 to 14 were rejected either as anticipated by U.S. Patent No. 2,814,508 of *Seamark* under 35 U.S.C. § 102 (claims 9 and 12 to 14) or as obvious from the disclosure of the *Seamark* patent (claim 10) under 35 U.S.C. § 103. In response to the rejection of claim 9, claim 9 has been cancelled and new claim 15 has been substituted. Further, claim 14 was rejected by the Examiner under 35 U.S.C. § 112 as indefinite and claim 14 has been amended to eliminate “but not limited to” objected to by the Examiner.

As set forth above, claim 9 was rejected by the Examiner as anticipated by the prior *Seamark* patent under 35 U.S.C. § 102. Although the Applicant respectively submits that the pipe coupling disclosed in the *Seamark* patent did not anticipate claim 9 and that the Examiner improperly ignored the method limitations of claim 9, new claim 15 has been substituted for rejected claim 9. Claim 15 is directed to a coupling between opposed adjacent ends of coaxially aligned deformable metal pipes, wherein each of the pipes has a circular cross-section. The coupling assembly includes “tubular *deformable metal sleeves*, each sleeve having a circular cross-section and an outside diameter generally equal to an inside diameter of the pipes” (emphasis added) and wherein a tubular sleeve is “press fit” into an end of each of the pipes with an end of a tubular sleeve adjacent an end of a pipe. The assembly further includes a “channel-shaped groove rolled in an outer surface of each of the pipes” and a “nested channel-shaped groove” in the tubular sleeve securely locking a tubular sleeve

in each of the pipes. Finally, the assembly includes a generally circular housing having a U-shaped cross-section including a leg portion received within a channel-shaped groove in an outer surface of each of the pipes retaining the pipes in coaxially aligned relation.

The Applicant respectively submits that the **Seamark** patent does not disclose or suggest the coupling assembly defined in claim 15. The “Internal and Segmented External Pipe Coupling Sleeves with Fluid Pressure Seal” disclosed in the **Seamark** patent is “for the coupling of pipes made of high strength material having thin walls, and which for this reason are not adapted to be connected together by means of couplings of the kind in which the pressure to form the coupling is applied solely to the outer surface of the walls of the pipes.” (See col. 1, lines 15 to 21). Thus, modifying the coupling disclosed in the **Seamark** patent to roll a channel-shaped groove in the pipe would be contrary to the teaching of the **Seamark** patent. The coupling as shown in Figures 1 and 2 which couples the ends 1 and 2 of relatively thin wall pipe includes a cylindrical section 3 having a plurality of circumferentially spaced studs 6 and shallow grooves 4 each having an O-ring 5 and a plurality of circular coupling segments 7 having radial teeth 8. In operation, “the ends of the thin-wall pipes 1, 2 are provided as a *loose fit* around the cylinder 3, the position of the pipe ends being fitted by abutting against opposed sides of the stud 6. The **Seamark** does not disclose or suggest a separate sleeve in each of the pipes.

Clamping engagement of the pipe ends is effected by screwing down the nuts 9 on the screw-threaded ends of the studs 6, to seat on the flat raised portions 10 formed integral with the plates 7.” (Col. 3, lines 14 to 21, emphasis added). In the embodiment shown in Figure 3 of the **Seamark** patent, “a metal ring in the form of a cylindrical support of an outer diameter to fit into the ends of the pipe 2 to be coupled and curved outwardly on the inner periphery, is provided integrally on the outer periphery of the circumferential series of radially extending studs 12, mounted in spaced

relation, the studs separating the ends of the pipes.” (See col. 3, lines 35 to 43). The studs are screw-threaded at the ends to receive nuts 14 and corresponding positions on each side and adjacent the positions at which the studs 12 merge into the ring 11 are formed circumferential grooves 15. In operation, on pressure being applied by the nuts 14 on the member 16, the flanges are caused to bite on the ends of the pipes and to deform them to assume the curvature of the grooves 15.

The Applicant respectively submits that the **Seamark** patent does not anticipate or make obvious the coupling as defined in claim 15. It is also noted that claim 15 includes all of the limitations of claim 1 and should therefore be allowed. However, claim 15 further defines that the pipes are formed of a “deformable metal” having a circular cross-section and the tubular sleeves are also formed of a deformable metal having a circular cross-section and an outside diameter generally equal to an inside diameter of the pipes wherein a tubular sleeve is “press fit into an end of each of said pipes,” contrary to the teaching of the **Seamark** patent. Further, a channel-shaped groove is rolled into an outer surface of the pipes and a channel-shaped groove in the sleeve is nested into the channel-shaped groove of the pipes. Further, the **Seamark** patent does not disclose a coupling having a separate sleeve in each of the pipes. Thus, the **Seamark** patent does not anticipate or make obvious the coupling as defined in claim 15.

Claim 10, which is now dependent upon claim 15, further recites that the grooves in the pipes are “generally rectangular in cross-section,” contrary to the teaching of the **Seamark** patent. Claim 11, which is now dependent upon claim 15, further recites that the sleeves are formed of the same metal as the pipes, contrary to the teaching of the **Seamark** patent. The Applicant respectively submits that it would not be obvious to modify the teaching of the **Seamark** patent contrary to the teaching of the **Seamark** patent. Claim 14, which is now dependent upon claim 15, further recites

that the pipes and the sleeves are formed of stainless steel. Finally, new claim 16 recites that these sleeves have a constant thickness, also contrary to the teaching of the *Seamark* patent.

The Applicant now respectively submits that claim 15 and dependent claims 10, 11, 14 and 16 are in condition for allowance and allowance is respectively requested.

The Commissioner is authorized to charge our Deposit in the amount of \$120.00 as required for the late filing of this Amendment. This Amendment is filed subject to the Request for Extension of Time filed February 13, 2008. Also, if there are any additional fees due, the Commissioner is authorized to charge our Deposit Account for those additional fees or credit the account for any overpayments regarding this Amendment.

**Respectfully submitted,**

**HOWARD & HOWARD ATTORNEYS, P.C.**

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